

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.: 03-465-D (400.151))

In the Application of:

McSwiggen et al.

Serial No.: 10/826,966

Filed: April 16, 2004

For: RNA Interference Mediated Inhibition of
Gene Expression Using Chemically
Modified Short Interfering Nucleic Acid
(siNA)

Art Group: 1635

Examiner: Not assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

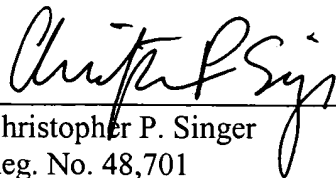
The undersigned representative hereby declares that the content of the electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(e), are identical in content. The sequence listing submitted herewith does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "CRF of Sequence Listing submitted under 37 C.F.R. § 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "400 151 (MBHB03-465-D)Sequence Listing".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: September 15, 2004

By:


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